



## **Local Permitting Survey Summary**

### **Introduction**

Regional planning agencies statewide are collaborating to evaluate local permitting processes in Massachusetts, as provided for in M.G.L. Section 30, Ch. 40B. The purpose of the evaluation is to gather information to be used to inform state, regional and local policymakers to make better decisions about permitting policy. In addition, the Massachusetts Association of Regional Planning Agencies will use survey results, and additional research and advice, to develop a best practices guide to local permitting that municipalities can use as a tool to make permitting more predictable, consistent, and efficient without endangering the standard of review.

MARPA administered a survey to local officials (the Chair of Board of Selectmen, Chair of Planning Board, Mayor, Manager and Town Planner) across the state. The questions range in type and include three basic categories: objective local permitting characteristics, local interest in state incentive programs, and local officials' opinions regarding development and the permitting process.

The survey suggests that while local permitting is not as terrible as some might suggest, there is room for improvement for municipalities to proactively assist those seeking to invest locally and delineate how to navigate the process.

### **Summary of Respondents**

Respondents from 215 Municipalities (61% of the Commonwealth) completed the survey, ranging dramatically in size and geography. The sample is close to a representation of all the Commonwealth's municipalities, with smaller communities that have minimal staff slightly underrepresented. The percentage of cities compared to all respondents nearly mirrored the State's overall percentage of city versus town form of government (13%). In addition to the 215 respondents, Boston responded but its survey is not included in the results because it is not subject to the same state controls on local permitting. A complete report of findings and detailed analysis will be released the week of May 21st, 2007 and available on [www.mapc.org](http://www.mapc.org).

### **Planning and Permitting Resources**

Municipalities drastically range in the number of professional staff they employ that serve a role in planning, permitting, zoning, conservation, economic development or community development. While 28% of the respondents do not employ any staff, the overall average number of staff among

those communities that do employ staff to serve these functions is 6, with the greatest number serving the board of health at an average of 2.39 per municipality.<sup>1</sup>

Nearly 80 percent of the Commonwealth's municipalities have a comprehensive or master plan, but only 24 percent of those that responded have approved their plan since 2004. In addition, one-quarter of respondents have plans that are at least eight years old.

### **Permitting Process**

The average number of public meetings or hearings required for all local permits necessary to develop a commercial/industrial projects of 50,000 square feet greater is just over 4 1/2. This number conflicts with anecdotal data which suggests that a far greater number of meetings are usually necessary and it is unlikely that respondents considered continuances of the same hearing or meeting when reporting the number.

Nearly 79% of respondents have their staff review applications for completeness<sup>2</sup>, and of those respondents, over one-third require a Board to approve that determination.

### **Permitting Coordination**

Several municipalities coordinate the permitting process among the various boards and staff. 75% of respondents hold informal conversations among staff or board liaisons to discuss permits, and over 40% of staff hold pre-application submittal meetings between the project proponent and multiple board representatives. However, only 40% of the respondents hold regularly scheduled meetings among the boards or staff to discuss development proposals, and only 15% of respondents hold formal joint board hearings. In addition, 12% of respondents do not coordinate between municipal boards at all.

### **Permitting Time Frame**

30% of the respondents have not permitted any commercial/industrial development over 50,000 square feet, and 22% of respondents have not permitted any over 10,000. However, of the municipalities that have permitted developments over the 50,000 square feet threshold, 54% indicated that they do so within 6 months, and over 90% indicate that they issue all the necessary permits for a commercial/industrial development within one year from the date the first application is filed.

This also conflicts with anecdotal data, with many development proponents indicating that it takes far greater than six months to permit a significant development. Since this survey did not take into account appeals, it is likely that the appeals of local permits significantly adds to the delay and resolving lengthy appeals warrants serious consideration.

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<sup>1</sup> A review of the survey results and community interviews suggests that municipalities that employ professional staff were more likely to complete the survey and that the results are not indicative of statewide averages.

<sup>2</sup> Please note that in some cases indicated in the response, this is conducted by administrative staff and not professional planning or permitting staff.

## **Municipal Assistance for Project Proponents**

Due to a variety of reasons, municipalities vary in their efforts to assist project proponents and business developers interested in building in their municipalities. One quarter of respondents do not post their zoning bylaws online, which is partially caused by a lack of high-speed internet availability in parts of the state. A total of 58 % do not offer any guides for proponents to navigate the permitting process. Two-thirds of municipalities have a specific written list of application requirements for special permits. Only 45% identify a singly point of contact to interact with individuals who wish to propose a business development in the municipality. Only 6% offer one common and combined application form for all permits. Across the board, these examples are opportunities missed by cities and towns to assist project proponents, particularly small businesses.

## **Subjective Respondent Opinions Regarding Development**

The responses to requests for subjective information to identify the greatest hurdles to development are generally consistent with anecdotal information, which points to insufficient infrastructure as a large barrier to commercial/industrial development.

Respondents overwhelmingly chose a lack of water and sewer infrastructure as most substantial hurdle to commercial/industrial development, followed by transportation access and congestion. Surprisingly, 77 respondents indicated that a lack of quorums at board meetings also contributed as a barrier, the most frequently cited response, followed by lack of water and sewer infrastructure and lack of planning and permitting resources.

However, it appears that municipalities feel that there is too little commercial/industrial development in their cities and towns, despite some reports of local obstruction to economic development. Over 52% responded that there is too little commercial/industrial development in their city/town, compared to only 2% that responded that there was too much and 39% indicating that the commercial/industrial development was “about right”.

Respondents’ opinions regard residential development deviated from commercial/industrial development opinions, with concern over school and other cost increases cited as the most substantial obstacles to housing development, followed by a lack of water and sewer infrastructure. However, the most frequently reported obstacles to residential development were a lack of planning and permitting resources and state permitting requirements and procedures.

Despite a documented housing problem in the Commonwealth, only 7 % of respondents indicated that there was too little residential development in their city/town. One-quarter of respondents indicated that there was too much, while 56% indicated that the amount of residential development was “about right”.

## **Familiarity with State Programs**

The two most recent state incentive programs for commercial and residential development respectively, Ch. 43D and Ch. 40R are widely renowned throughout the Commonwealth, and are being considered for adoption by many municipalities. 70% of respondents are familiar with Ch. 43D, with 45 respondents considering adoption. 83% of respondents are familiar with Ch. 40R, with 69 respondents considering adoption.

**Compelling Positives:**

- Nearly 80% of municipalities have a comprehensive or master land use plan.
- 75% of municipalities hold informal meetings among staff or boards to discuss permits.
- In communities that permit commercial or industrial development over 50,000 sq. feet, 54% do so within six months (excluding appeals).
- 70% of respondents are familiar with Ch. 43D, with 45 municipalities considering adoption.

**Room for Improvement:**

- 28% of municipalities do not employ any professional staff to assist volunteer boards with permitting.
- 38% of master and comprehensive plans are over five years old.
- 60% of municipalities do not hold regularly scheduled coordinating meetings between different boards or staff serving boards to discuss development proposals, and 12% do not coordinate at all.
- 55% of municipalities do not identify a point of contact to interact with business developers.

For more information or to submit recommendations on how to streamline the local permitting process without jeopardizing the standard of review, please contact Sean Caron, Policy and Planning Counsel at MAPC at (617) 451-2770 x2021 or [scaron@mapc.org](mailto:scaron@mapc.org).